

BANK EXAMINER ACCUSED

OFFICIALS SAY THAT CLOSED
CONCERN IS SOLVENT.

Assert That Man on Whose Examination
Cosmopolitan National Bank Was Closed
Plainly Showed Effects of Drink and
That Action Had No Justification.

PITTSBURG, Sept. 5.—Two banking sen-
ators started Pittsburgh to-day. The
Cosmopolitan National Bank was closed
and the Mount Washington Savings and
Trust Company had notices posted on
its doors for fifteen minutes which were
taken down and the examiner went
away without any explanation of his
action.

The directors of the trust company will
begin criminal prosecutions against James
M. Cover, the State banking examiner,
for the latter action. He closed the bank
about 11 o'clock and after holding a tele-
phone conversation with the State de-
partment in Harrisburg, tore down the
notices. The bank held more than 80
per cent. of its deposits in reserve at the
time.

After the closing of the Cosmopolitan
National Bank serious charges were
made against the bank examiner, John
B. Cunningham, who made an examina-
tion of the bank.

It is alleged by E. A. Kitzmiller, vice-
president, and Charles A. Muehlbrunner,
a director, that Examiner Cunningham
was intoxicated when he closed the bank
and did not know what he was doing.
Mr. Kitzmiller said he would make an
affidavit, and prove it by witnesses, that
Cunningham was under the influence of
liquor when he entered the bank and
issued the notice.

The officials say the bank is perfectly
solvent and that this will be proved.
Robert Lyons was appointed receiver
and took charge. He was joined by F. F.
Oldham, attorney for the Comptroller
of the Currency.

Cunningham has an excellent record,
having unearthed the irregularities at
the Enterprise National Bank and the
Farmers and Drivers National Bank at
Waynesburg.

Vice-President Kitzmiller, in the absence
of John McClurg, the president, said:

"I can only account for the closing
of the bank by the fact that Cunningham
was drunk and had been drunk for some
time. His condition is known to every one.
Every time he visited the bank he was
under the influence of liquor. Cunning-
ham had every appearance of being
under the influence of liquor."

Mr. Kitzmiller's remarks were agreed to
by others who witnessed the closing
of the bank.

The bank held as deposits \$100,000
of United States funds, for which United
States bonds had been deposited; \$100,000
in Pennsylvania State funds protected
by private bonds and \$100,000 Pittsburgh
municipal funds protected by bonds.

David J. Richardson, cashier, speaking
of the closing of the bank said:

"I cannot understand the action of the
examiner. The bank was in better shape
at the closing of business last night than
it has been for three years. Our deposits
aggregated \$800,000 of which \$300,000
protected by bonds. At the opening
this morning, we had \$321,372.97 which
is more than 50 per cent. on the balance
of the deposits subject to check."

"Our New York deposits were time
deposits, and no one was crowding us
for money. Having been in the banking
business all my life I cannot reflect on
the Comptroller of the Currency or his
examiners. An examination of the bank
will prove it was solvent."

Receiver Lyons when asked as to the
truth of the report that Examiner Cun-
ningham was intoxicated when he closed
the bank, said:

"It is unfortunate that that became
public."

The officials of the bank are: President,
John B. McClurg, cashier; vice-presidents,
E. A. Kitzmiller and F. H. McKinnon;
cashier, David J. Richardson, Jr.; and
Charles Muehlbrunner, are the directors.

The Mount Washington Savings and
Trust Company, at Smithfield street and
Second avenue, which was closed at 11:30
o'clock by State Bank Examiner James
M. Cover and reopened fifteen minutes
later, got into all its trouble through the
closing of the Cosmopolitan National Bank.

Examiner Cover took action because
some men are officers in the banking
business. When asked his reason for the action
by the Mount Washington officials Cover
is alleged to have said: "Haven't you got
\$4,000 in the Cosmopolitan?"

"Certainly," was the reply. "But what
of it? We carry that much around in our
vest pockets."

After being convinced that there was
no necessity of closing the Mount Wash-
ington institution, Cover took down the
notice, and the bank reopened. A. L.
Richmond, Jr., is one of the vice-presi-
dents of the Mount Washington Bank
and also is a director of the Cosmopolitan
National Bank.

The Mount Washington Savings and
Trust Company has deposits amounting
to \$600,000, loans and discounts of \$111,000,
with assets totalling \$200,000. The cap-
ital stock of the bank is \$125,000. It
has been doing business since 1903. The
officers are H. W. Gleffor, president;
F. Weiler and L. Richmond, Jr., vice-
presidents; George M. Godou, secretary
and treasurer. The first three, with
George K. Rudolph, C. W. Fralich, Dr.
C. L. Gangloff, Joseph Jones and W. W.
Wishart, compose the board of directors.

Vice-President E. Weiler called At-
torney A. G. Smith into conference this
evening for the purpose of bringing ac-
tion against the State Banking Depart-
ment or its agents. Attorney Smith,
who promoted the trust company, but
who has since resigned as an official, was
a witness to the closing of the bank.

He said:

"Shortly after 11 o'clock Banking Ex-
aminer Cover entered the bank and with-
out warning told the cashier that the
bank had been ordered closed and posted
a notice on the door to this effect. He
went to the telephone and called up the
State Banking Department at Harris-
burg. After a brief conversation Mr.
Cover came out, told the cashier he could

resume business and pulled the notice
off the door without an explanation.
We have been trying all day to locate him
but have been told he left the city."

"The trust company has \$4,000 deposited
in the Cosmopolitan National Bank, which
was closed by the Comptroller of the Cur-
rency, but that is no reason why the trust
company should be molested. We have 80
per cent. of our deposits intact in cash,
and there is no assurance that we have
lost the money in the Cosmopolitan or
any part of it. It remains a question
whether it will be wise to open the doors
Tuesday morning. Mr. Weiler is in
favor of keeping open and paying the
depositors their money if they demand
it. The closing of the bank for fifteen
minutes drew a large crowd about the
doors. The directors will decide what
to do before Tuesday morning."

WASHINGTON, Sept. 4.—Sensational de-
velopments are likely to follow the clos-
ing of the Cosmopolitan National Bank of
Pittsburgh this morning on the ground
that the institution was insolvent. Pitts-
burgh dispatches say that the officers of
the Cosmopolitan National protested
against the closing of their institution,
asserting that it is not insolvent as al-
leged by Bank Examiner Cunningham,
and charging that the latter when he
made the examination on which his drastic
action was based was not in fit condition
to do business.

Comptroller of the Currency Murray
said this evening that rumors had reached
him and Deputy Comptroller Kane
within the last two weeks that the habits
of Examiner Cunningham were not
what they should have been. A quiet
investigation of the reports had been
instituted, it was said.

Comptroller Murray also said that his
office was convinced it had made no
mistake in ordering the closing of the
Cosmopolitan. He and Deputy Com-
ptroller Kane had received information
from other sources than Examiner Cun-
ningham reflecting on the condition of
the Cosmopolitan and showing that the
wisest course was to order that the in-
stitution be closed for the protection of all
concerned.

Judge Oldham, the chief expert of
the Comptroller's office, hurried to Pitts-
burgh last night on receipt of the final
report of Examiner Cunningham indicat-
ing that it would be necessary to close
the Cosmopolitan. Judge Oldham is
expected back in Washington to-morrow.
He was instructed to make a searching
investigation into the charges against
Cunningham.

MARRIED AT AUNT'S BEDSIDE.

Miss Potter's Wedding Hastened at Re-
quest of Relative Who Is Very Ill.

NEWPORT, Sept. 5.—Miss Alice Key
Potter, daughter of Frank Hunter Potter,
and Newton Adams of New York, who
were to have been married here in Trinity
Church on October 10, were married at 5
o'clock this afternoon at the home of the
bride's aunt, Miss Sophia E. Blatchford.

The wedding was to have been quite a
large affair, but all arrangements were
changed in a hurry at the request of Miss
Blatchford, with whom Miss Potter made
her home.

Miss Blatchford is seriously ill and
feeling she might not see her niece mar-
ried she expressed a desire on Friday that
the wedding ceremony take place at once.

Late this afternoon the couple were
married in Miss Blatchford's room by the
Rev. Latta Griswold. The only persons
present were Miss Blatchford's physician
and Mrs. E. T. Potter, sister of Miss Blatch-
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WAHLE, BROKE, QUILTS BENCH

OWES ABOUT \$20,000—TERM
EXPIRED NEXT JULY.

Sends His Resignation to Mayor After
He Files a Petition in Bankruptcy
—Many Charges of Improper Con-
duct Had Been Made Against Him.

Magistrate Charles F. G. Wahle, who
was appointed a Magistrate by Mayor
McClellan in 1905, filed a petition in bank-
ruptcy yesterday and immediately sent
to the Mayor his resignation as a Magis-
trate. Among the members of the Board
of Magistrates it has been no secret for
some time that Wahle intended to get out
by October 1.

In his schedule of liabilities Wahle
figured his known debts at \$17,112, but
there are eleven other claims for borrowed
money and on notes, the total of which
he does not know, but which were esti-
mated at \$3,000. His assets he put
at \$200, wearing apparel worth \$100, and
an interest in a plot of ground in the
Lutheran Cemetery, also worth \$100. The
law prevents his creditors from acquiring
a claim in either holding.

Almost from the day Wahle was ap-
pointed a Magistrate he has been under
the severest criticism. Recently the Dis-
trict Attorney's office has had occasion
to take up a charge growing out of his
actions on the bench. Two years ago he
sought very actively a nomination for a
Supreme Court Justiceship, but Leader
Murphy of Tammany Hall turned him
down.

Two years after Mayor McClellan ap-
pointed him Wahle was served with an
order to show cause why he should not
make restitution of \$1,200, with interest,
to the bankrupt estate of Herman Mayer
& Co., dealers in clothing. Wahle took
the money from the bankrupts for al-
leged services, but he was obliged to
restore it to avoid contempt proceedings.

He was sued on a note in 1907 by Norbert
Leibel, a woolen merchant of 12 Beach
street. Leibel got a check, which was
returned marked "No funds," when the
merchant sent it in for collection. Leibel
had loaned the money to Wahle be-
cause a mutual friend had told him that
Wahle was badly in need of money, and Leibel
thought that it would be a pretty good
thing, on general principles, to have a
Magistrate for an intimate friend.

Wahle was sued by the firm of John
Wanamaker on a bill of \$580.13, an
account which was settled up finally.
Wahle said. Since he went on the bench
in 1905 stories of financial transactions
affecting the honor of the Magistrates
court have been current not only among
police court clerks but among politicians
seeking preferment in Tammany. Clerks
in the police courts were said to hold
I O U's for sums ranging from \$50 to
\$100, and in one case for more than \$100,
representing money borrowed by a Magis-
trate who had forgotten to pay up.

While he was president of the Board
of Magistrates Wahle was before the
Grand Jury as a witness to tell what he
knew about the release of a prisoner
who was charged with grand larceny—a
man named Abraham Davis, who was
charged with receiving goods worth
\$60,000 which had been stolen from the
Morgan Line steamship pier. Later
he was criticised by the Bar Association
for his failure to assist that body in
getting at the truth of stories which
reflected on the financial peculiarities
of a Magistrate. Wahle resigned from the
Bar Association.

Wahle while sitting in the night court
has been criticised for sentencing street
women to reformatories and then re-
leasing them after a day or two. On May
15, 1906, he sent a woman named Louise
Nelson to the Home of the Good Shepherd.
While presumably in the Home of the
Good Shepherd, Louise Nelson was ar-
rested early in June, 1906, in the Tende-
rillon. The woman appeared before Magis-
trate Cornell and said she was released
because friends had raised money. On
May 30 last Wahle sentenced a girl named
Jennie Gold to a term in the Bedford Re-
formatory. She was released after a day
of the Jefferson Market court a day or two
and then released on "good behavior
bonds." She told Magistrate Corrigan
that after she had paid \$100 to a lawyer
Wahle let her out of prison.

In March of this year attention was
called to the fact that between Septem-
ber 15, 1907, and January 15, 1908, Wahle
released twenty-eight women from the
workhouse before the expiration of the
terms to which he had sentenced them.

In his bankruptcy petition Wahle
stated that his debts were contracted be-
tween 1903 and 1908. Among the creditors
for borrowed money and on notes are:

J. L. Williams, \$3,000; Harry L. Zee-
man, \$1,302; Milton Berlinger, \$700; Sol
Brill, \$886; B. Hertzberg, \$1,000; J. Cohan,
\$700; Rheingold Bros., \$850; Gustav
Zimmerman, \$500; Morris A. Schulman,
\$100; Fred C. Fischer, \$225; Max Green-
wald, \$150; M. Sussman, \$150; Morris
Scherer, \$200. Among the creditors for
goods purchased by him are: Brooks
Bros., clothes, \$319; C. H. Koster, fire-
works, \$158; Funk & Wagnalls, books,
\$34; Houghton, Mifflin & Co., books, \$29;
Charles Scribner's Sons, books, \$29;
Harper & Bros., books, \$23; Lawyers
Cooperative Publishing Company, \$143;
Adolphe Le Moutte, florist, \$152; White-
side & Blank, jewelry, \$181; J. W. Pratt
& Co., printing, \$147; Dempsey & Carroll,
\$50; Collins & Co., \$150; D. H. Rosenstein,
\$22; John J. Fox, cab hire, \$332; New York
Taxiway Company, \$57; Dos Passos Bros.,
lawyers, \$500; Henry Romeike (proprietor
of a press clipping bureau), \$28;
B. Monahan, \$150, and the New York
Telephone Company, \$88.

From his office in the Colonial Trust
Building, at 220 Broadway, Wahle sent
this letter of resignation to the Mayor:

I hereby resign as City Magistrate in
the First District of the City of New York
the resignation to take effect on September
30, 1908.

With due appreciation of your uniform
courtesy and best wishes for your success,
I remain, very respectfully,
CHARLES F. G. WAHLE.

Mr. Wahle was asked yesterday after-
noon if his bankruptcy notice prompted
his getting out of the bench. He said:

"Well, that's enough isn't it?"
He said he expected to practise law at
220 Broadway, and had made arrangements
to that effect before resigning. There
has been no definite talk as to who is
likely to succeed to Wahle's magistracy.
The job is worth \$7,500 a year. His term
expires in July, 1909.

GLASGOW HOOFS ROTARY.

Fierce Socialistic Demonstration Against
Prince Arthur of Connaught.

Special Cable Dispatch to THE SUN.
GLASGOW, Sept. 5.—Prince Arthur of
Connaught, while visiting this city to-
day with the object of reviewing the
Boys' Brigade, met with an extraordinary
demonstration of disloyalty, which is
described as "one of the most regrettable
scenes ever witnessed in Scotland."

Socialists in the guise of the unemployed
seized the occasion to air their revolu-
tionary principles by hooting the Prince
and shouting, "Down with all royalty!"
Their behavior eventually became so
threatening that the Prince's military
escort was ordered to fix bayonets, so as
to be prepared for eventualities.

One account states that a hostile crowd
numbering 6,000 awaited the arrival of
the carriage with the Prince, who kept
his hand at salute and remained uncon-
cerned throughout. When the carriage
appeared in George's Square, the crowd
pressed inward in a menacing manner
until the police checked the incipient
movement.

Turbulent scenes followed. The crowd
fell back hissing and shouting all manner
of imprecations against the Prince and
his suite. It was noticeable that when
the military band played "God Save the
King" not a single head in the crowd was
uncovered. On the contrary, the mob
broke out with the refrain "Keep the
Red Flag Flying," and followed this with
the singing of the "Marseillaise."

The alleged cause of the demonstration
was the objection of the mob to the munici-
pality spending money in entertaining
prominent people until the distress of the
unemployed was alleviated.

SENATOR CASSIDY BEATEN.

Tompkins County Turns Him Down De-
spite His Earlier Action.

ITHACA, Sept. 5.—To the surprise of
the delegates at the Tompkins county
Republican convention, which met here to-
day, Congressman John W. Dwight,
leader of the county and joint author
of the "John and I" forged telegram
which caused such excitement during the
trouble over the racing bill last winter,
took the floor and in a short, emphatic
address moved that the six delegates to
the Republican State convention be
instructed to vote for the re-election of
Gov. Hughes. The Governor's name
was greeted with wild enthusiasm and
the resolutions were passed by a standing
vote. The Governor was also warmly
indorsed.

Senator Owen Cassidy of Watkins,
who represents the Forty-first district
in Albany, was turned down for re-nom-
ination for his vote against the racing
bill, although the convention in March
enthusiastically indorsed and instructed
him.

William R. George, the stalwart founder
of the George Junior Republic at Free-
ville, introduced the Cassidy obnoxious
in the form of a resolution approving of
the action of the county committee in
asking him to withdraw and revoking
instructions given to the Senatorial
delegates and ordering them to vote for
another man. Mr. George said that
Cassidy's nomination meant defeat. The
resolutions were passed without any
dissent. Tompkins delegates will vote
solidly against Cassidy at Tuesday's con-
vention.

CONTRACTOR AND \$2,500 GONE

EMPLOYEES UNPAID, POLICE
CAN'T FIND HIM.

Took the Money From a Bronx Bank at
Noon—Horse and Wagon Found
Two Miles From the Bank—Had No
Enemies and No Family Troubles.

Frank Del Balso, an excavating con-
tractor living at 1451 Hoe avenue, The
Bronx, went to the Bronx Borough Bank,
440 Tremont avenue, at about noon yester-
day and drew out \$2,500 to pay two
forces of men working on excavating
jobs at 16th street and Clay avenue,
and 17th street and Roston road. Then
he drove off in the light wagon in
which he was accustomed to inspect
his various jobs.

At about 2 o'clock a man who knew
Del Balso's dog found the horse and wagon
standing at Shakespeare and Jerome
avenues, about two miles from the bank.
The horse was eating grass along the
roadway. The man who found the rig
got in the wagon and drove it to the Tre-
mont police station. The police there
communicated with Del Balso's house
and found the contractor's brother,
Michael.

Michael said he had been wondering
what had become of his brother, as he
had promised to go to the two excavat-
ing jobs as near noon as possible, and
give the men their wages. The men
were becoming impatient, Michael said.
The contractor also had left his son,
Anthony, 15 years old, at the job at 17th
street and Roston road and told him
that he would come for him at about
noon and take him for an outing in the
afternoon.

When the police learned this they
decided that Del Balso had met with foul
play, inasmuch as his brother, Michael,
insisted that he did not drink and that
his finances were in such good shape
that he could have no reason for running
away. The Detective Bureau at Head-
quarters was notified and Capt. Arthur
Carey, in charge of the homicide bureau,
went to work at once.

Albert Schwartz of 1340 Brook avenue
told the police that he saw Del Balso
drive away from the bank and that two
Italians who had been standing in front
of the bank while Del Balso was inside
hurried off in the direction taken by the
contractor.

All of the contractor's unpaid em-
ployees and the police reserves of the
Tremont station went on a search of a
big patch of woods adjoining the place
where the rig was found. The police
were under the impression that Del Balso
was followed there or that some one lay
in wait for him along the road. They
concluded that he had been overpowered
and chloroformed or beaten into insen-
sibility. They had an idea that they might
find him dead or unconscious in the woods.

Although the searches went over most
of the big patch of woods until it got dark
and then continued the hunt with lanterns,
they found no trace of the contractor.
They also found no indication in the
wagon that there had been a struggle.

Del Balso has been in business in The
Bronx for years and has five children.
His family say that his home relations
had been pleasant. They couldn't re-
member that any one had threatened
him and didn't know that he had any
enemies.

MEN IN UNIFORM NOT BARRED.

Hotel Explains Why It Ordered Sailors
From President's Yacht.

OSTEY BAY, Sept. 5.—Lieut. Roger
Williams, the commander of the Govern-
ment yacht Sylph, which is also the Presi-
dent's pleasure boat during the summer,
has been in correspondence with the man-
agement of the Inside Inn here this week
in an effort to find out why several sail-
ors from his ship were barred from the dan-
cing pavilion connected with the hotel.

The men in uniform and wearing the
insignia of the Sylph were ordered away
from the pavilion when it was opened
last Saturday night. The incident ex-
cited considerable comment and Lieut.
Williams started in at once to find out
whether or not the men had been ordered
away because they were in uniform and if
the hotel management intended to dis-
criminate against all men in uniform.

In reply to the Lieutenant's inquiries
the hotel management wrote that the
sailors had been blocking the entrance
to the pavilion and had been requested
to leave because they were in the way
of those who wished to enter. The man-
agement added that admission to the
hotel or the pavilion would not be denied
to any one wearing the uniform of the
navy or army as long as the uniformed
person behaved himself. Lieut. Williams
in turn expressed his satisfaction at the
explanation and the incident is consid-
ered closed.

It is probable that this prompt action
of the commander took the hotel man-
agement aback. Perhaps the hotel peo-
ple did not care to start a fight under the
guns of Sagamore Hill.

CHILD KILLED IN SAND PILE.

Her Two Sisters and a Brother Have
Narrow Escapes in Caravan.

Elizabeth Ryan, the four-year-old
daughter of Daniel Ryan, a contractor
living at 3635 Bronx Boulevard, was killed
yesterday afternoon and three other
Ryan children narrowly escaped death
when a large sand pile caved in where
the children were playing. The sand
pile is owned by Carmine Capola, who
deals in sand at 41 East 22nd street.

The pile was about forty feet square
and backed up on the rear yard of the
Ryan home. There was no fencing and
the children had no trouble in playing on
the sand. Besides Elizabeth there were
May, 5 years old, Barbara, 12 and Daniel,
5. Elizabeth climbed up the pile about
twenty-five feet, followed by her sister
May. The side of the sand pile began to
slide down and before they could get off
the whole side went in.

Elizabeth was buried and was smothered
to death. The other children
were covered, except Barbara, who was
near the edge and whose hand stuck out
of the sand. Mrs. Mary Ryan, who lives
next door to the Ryans, saw the child's
hand and got Policeman McCarthy of the
Wakfield precinct.

After sending to a fire station for help
McCarthy and Mrs. Ryan went to the
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